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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,074	03/12/2002	Xavier Guy Bernard d'Udekem d'Acoz	BGC002	3661

7590 10/28/2003

JACK V. MUSGROVE  
2911 BRIONA WOOD LANE  
CEDAR PARK, TX 78613

EXAMINER
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NGUYEN, TAN

ART UNIT	PAPER NUMBER
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2818

DATE MAILED: 10/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Applicati n No.		Applicant(s)	
	10/018,074		D'ACOEZ ET AL.	
	Examin r		Art Unit	
	Tan T. Nguyen		2818	

-- Th MAILING DATE of this communication appears on the cov r sheet with the corr spond nc address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 13-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6 and 13-19 is/are rejected.
- 7) ☒ Claim(s) 5, 7-8 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

1. The following action is in response to the amendment filed by Applicant on August 29, 2003.

2. Claims 9-12 have been canceled.

New claims 13-19 have been added.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4, 6 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Miyauchi (U.S. Patent No. 5,883,842).

Miyauchi disclosed in Figure 6 a conventional memory card [50] comprises of a interface circuit [51], an internal control CPU [52] coupled between the interface circuit [51] and a flash memory control circuit [54], a memory part [55], as shown in figure 7 includes a plurality of memory blocks, is coupled to the flash memory control circuit [54] (column 1, lines 15-19). Miyauchi further disclosed the interface circuit [51] inputs/outputs data to a host system [60]. The internal control CPU [52] controls signals in the memory card [50], and the flash memory control circuit [54] controls the memory part [55] in accordance with control data such as read/write commands, address data, etc. sent from the internal control CPU [52] to the memory part [55]. For example, when the number of a sector is input from the internal control CPU [52], the flash memory control circuit [54] generates address data for the memory part [55] corresponding to the

input sector number and outputs the data to the memory part [55] (column 1, lines 28-38).

The interface circuit [51] would be understood as the claimed input/output means, the internal control CPU [53] would be understood as the claimed microprocessor, the flash memory control circuit [54] would be understood as the claimed selecting device, and the memory part [55] would be understood as the claimed plurality of memory units.

Regarding claims 2-4, the memory card disclosed by Miyauchi inherently includes either parallel or serial port for the data or address transferring.

Regarding claim 6, the capacity of the memory part [55] would be inherently formed of any desired size.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 13-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyauchi in view of Carper et al. (U.S. Patent No. 6,480,935).

See description of Miyauchi in paragraph 4, supra. Miyauchi disclosed the memory part [55] is of electrically erasable memory.

Carper et al. disclosed a smart card memory [12] comprises a CPU [21] coupled to a memory [20] which includes random access memory [22], read only memory [24] and electrically erasable programmable read only memory [26].

Regarding claims 13-15, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the memory card of Miyauchi by replacing the memory part of Miyauchi with the memory of Carper et al..

The rationale is as follows: A person of ordinary skill in the art would have been motivated to use the memory of Carper et al. to store different types of information or program for corresponding applications.

Regarding claim 16, Miyauchi shows in figure 6 the memory part [55] is external to the internal control CPU [52].

Regarding claim 17, Miyauchi shows in figure 6 the flash memory control circuit [54] is external to the internal control CPU [52].

Regarding claim 18, it would have been obvious to a person of ordinary skill in the art to make the memory card of Miyauchi et al. flexible.

The rationale is as follows: A person of ordinary skill in the art would have been motivated to make the memory card flexible to prevent the memory being damaged from bending.

7. Claims 5 and 7-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

9. REMARKS

Applicant indicated in page 2 of the amendment that claims 9-11 be canceled, however claim 12 is also marked as a canceled claim.

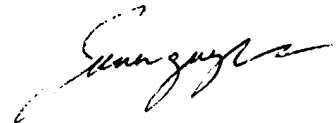
10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Le Roux is cited to show a microcomputer PC-Card having switching circuit for controlling access to memory.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan T. Nguyen whose telephone number is (703) 308-1298. The examiner can normally be reached on Monday to Friday from 07:00 AM to 03:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David C. Nelms, can be reached on (703) 308-4910. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



Tan T. Nguyen  
Primary Examiner  
Art Unit 2818  
October 09, 2003